

REMARKS/ARGUMENTS

The claims are 2-19. Claim 1 has been canceled and claims 2-16 have been amended to be process claims dependent directly or indirectly on claim 17. These claims have also been amended to improve their form. Reconsideration is expressly requested.

Claims 1-16 were objected to because of certain informalities set forth on pages 2-3 of the Office Action. Claims 1-16 were also rejected under 35 U.S.C. 101 as being improper "use" claims and under 35 U.S.C. 112, second paragraph, as being indefinite for the reasons set forth on pages 4-7 of the Office Action.

In response, Applicant has canceled claim 1 and has amended claims 2-16 to be process claims dependent directly or indirectly on claim 17. These claims have also been amended to improve their form.

With respect to the Examiner's rejection of claims 2, 5 and 6 as being indefinite because they involve DIN tests where no particulars of these tests are said to be found in the claims or in the written description of the application, Applicants respectfully traverse for the following reasons.

Under 35 U.S.C. 112, the detailed description of the invention need be only in such full, clear and exact terms as to enable any person skilled in the art to which it pertains or with which it is most nearly connected to make and use the same. The DIN tests referred to in claims 2, 5 and 6 are industry standards similar to ASTM tests, and can be easily reproduced by a skilled person. In particular, the DIN EN ISO numbers represent standards which have been approved as European and ISO standards.

It is respectfully submitted that one reading the specification would understand what is involved in the DIN tests and would know how to make the measurements, determinations and assessments according to those tests as set forth in claims 2, 5 and 6. Accordingly, it is respectfully submitted that the rejection of these claims as well as claims 1-16 on the basis of the informalities raised in the Office Action, and under 35 U.S.C. 101 and 35 U.S.C. 112, second paragraph, should be withdrawn.

Claims 1-8 and 12-15 were rejected under 35 U.S.C. 102(b) as being anticipated by *Rosenberg* U.S. Patent No. 6,046,297. Claims 9-11 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Rosenberg et al.* Claims 17-18 were rejected

under 35 U.S.C. 103(a) as being unpatentable over *Sondhe et al.* U.S. Patent No. 5,340,652 in view of *Rosenberg et al.* Claim 19 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Sondhe et al.* and *Rosenberg et al.* and further in view of *Hertel et al.* U.S. Patent No. 5,486,096.

With respect to "use" claims 9-11 and 16, essentially the Examiner's position was that *Rosenberg et al.* teaches the basic composition recited in the claims except for features which were considered within the skill of the art. With respect to the process, synthetic resin, and composite material claims 17-19, essentially the Examiner's position was that *Sondhe et al.* discloses the process, resin, and material recited in the claims except for the exact composition of the material, which was said to be taught by *Rosenberg et al.*, and except for the composite material being a wind vane or part thereof, which was said to be shown by *Hertel et al.*

This rejection is respectfully traversed.

As set forth in claim 17 as amended, Applicant's invention provides a process for the production of synthetic resin composite materials with flexible polyurethane gel coats. In accordance with the process, a two-component composition which

includes a polyol component, and a polyisocyanate component is mixed and at least partially cured to form a gel coat material.

The polyol component contains a polyol mixture and one or more light-resistant aromatic amines. The mixture is brought into contact with a synthetic resin including an epoxy resin and/or vinyl ester resin, wherein the synthetic resin is not or not completely cured at the time when it is brought in contact with the gel coat material.

In this way, Applicant's invention provides a method for producing synthetic resin composite materials with flexible polyurathane gel coats which results in a gel coat with a high cross-linking density yet allows a prolongation of the lamination time.

Rosenberg et al. discloses castable polyurethane elastomers (column 2, line 55) which are prepared from a prepolymer (as prepared from polyol and diisocyanate, see col. 3, line 38 to col. 4, line 9), which is subsequently reacted with a curative such as the amine MCDEA. In contrast, Applicant's polyol component as set forth in claim 17 as amended, includes a polyol mixture and an aromatic amine that is subsequently reacted with isocyanate, which it is respectfully submitted is nowhere

disclosed or suggested in *Rosenberg et al.* In addition, *Rosenberg et al.* fails to disclose or suggest the combination of Applicant's two-component composition with epoxy resin and/or vinyl ester resin as recited in claim 17 as amended.

Sondhe et al. relates to an article which is made by coating a urethane composition on an epoxy composition. The urethane is generally applied before the epoxy is fully cured (see col. 3, lines 57-60 of *Sondhe et al.*). The urethane composition is disclosed starting at col. 9, line 21 of *Sondhe et al.* and is prepared by the reaction of a polyol component with an isocyanate component. There is no disclosure or suggestion of a polyol component that contains a light-resistant aromatic amine as recited in Applicant's claim 17 as amended. Quite the opposite as col. 9, lines 38-40 of *Sondhe et al.* teaches that all components must be aliphatic if it is desired to prevent yellowing of the urethane composition.

Therefore, it is respectfully submitted that neither *Rosenberg et al.* nor *Sondhe et al.* discloses or suggests the specific two-component composition according to Applicant's claim 17 as amended, whether alone or in combination.

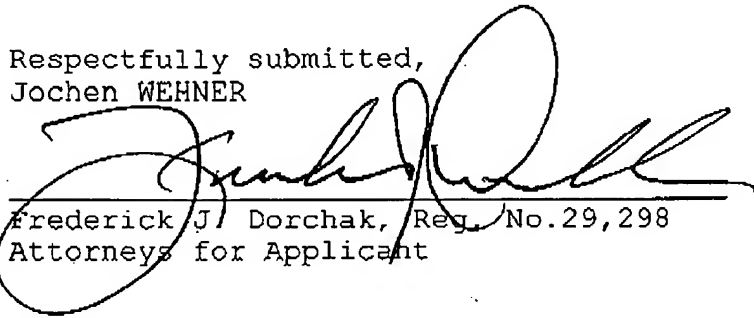
The remaining reference to *Hertel et al.*, which was cited with respect to claim 19, has been considered but is believed to be no more relevant. *Hertel et al.* relates to an erosion resistant coating on composite structures. Applications are gas turbines and helicopter rotor blades. In col. 2, starting in line 3, *Hertel et al.* mentions in the section called "Background Art" that polyurethane coatings bonded to the surface of a pre-cured epoxy matrix composite substrate suffer from certain disadvantages. Therefore, *Hertel et al.* does not relate to a polyurethane composition (as recited in Applicant's claim 17 as amended) but rather to a series of fiber reinforced plies laid up in the configuration required for the structure of the article, an epoxy resin-impregnated fiberglass cloth positioned over the surface of the article, and a toughened epoxy resin containing a reinforcing mat of continuous or discontinuous reinforcing fibers. In addition to teaching away from the use of polyurethane coatings, *Hertel et al.* also does not relate to a wind vane of a wind power plant, as described at page 16, second paragraph, of Applicant's disclosure and as recited in Applicant's claim 19.

Accordingly, it is respectfully submitted that claim 17 together with claims 2-16 and 18-19 which depend directly or indirectly thereon are patentable over the cited references.

In summary, claims 2-16 have been amended, and claim 1 has been canceled. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
Jochen WEHNER

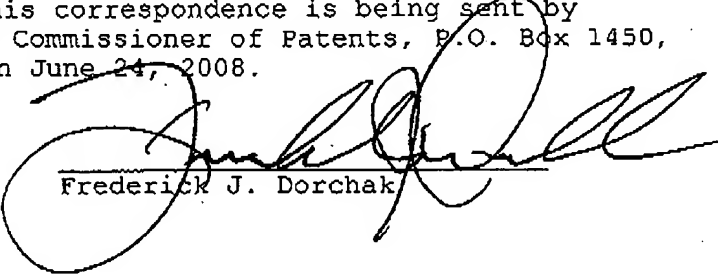
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FJD:djp


Frederick J. Dorchak, Reg. No. 29,298
Attorneys for Applicant

CERTIFICATE OF FACSIMILE TRANSMISSION

Fax No. 571-273-8300

I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 24, 2008.


Frederick J. Dorchak

X:\Patent\WWEHNER-2 PCT\Amendment 6-08.rpd